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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Confirmation No.: 8335

FLAUTNER et al

Atty. Ref.: 550-463

Serial No. 10/687,924

TC/A.U.: 2181

Filed: October 20, 2003

Examiner: H. Kim

For: DATA PROCESSING SYSTEM PERFORMANCE COUNTER

\* \* \* \* \*

November 15, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

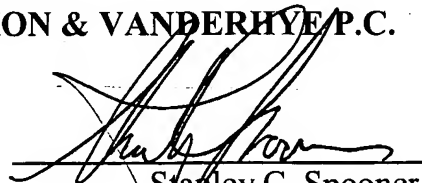
**STATUS INQUIRY**

A Notice of Appeal and Pre-Appeal Brief Request for Review were filed on June 13, 2006. However, since then Applicant has not received any communication from the Patent Office. Inquiry is made as to when a Panel Decision (expected within 45 days of Applicant's Pre-Appeal Brief Request for Review filing) will be forthcoming.

Respectfully submitted,

**NIXON & VANDERHYP, P.C.**

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